

### REMARKS

Applicant requests favorable reconsideration of this application in view of the foregoing amendments and the following remarks. Of claims 1-6 that were pending in the application, claims 1 and 2 stand rejected in the Office Action and claims 3-6 stand withdrawn from consideration. By way of this Amendment and Reply, Applicant has amended claim 1 and, therefore, claims 1 and 2 are respectfully presented for further consideration.

#### **1. Rejection of Claims 1 and 2 under 35 U.S.C. § 102(b)**

Claims 1 and 2 were again rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,778,525 ("Hata"). For at least the following reasons, Applicant continues to respectfully traverse this rejection.

As amended herein, claim 1 (*i.e.*, the claim from which claim 2 depends) recites a machine for placing components on a printed circuit board. This machine includes, among other possible things (*italic emphasis added*):

- a transport device for transporting printed circuit boards in an X-direction;
- at least one feeder area with components;
- a Y-slide, which is independently drivable in the X-direction; and
- at least two placement heads on said Y-slide,  
wherein at least one of the at least two placement heads is configured to place components from the at least one feeder area onto the printed circuit board,  
wherein each of the at least two placement heads arranged on said Y-slide is configured to move in the X-direction,  
*wherein the at least two placement heads are interconnected such that a movement of a first of the at least two placement heads over a certain distance in the X-direction is configured to cause a simultaneous, dependent movement of a second of the at least two placement heads over the same distance in the X-direction, and*  
wherein each of the at least two placement heads is independently drivable in a Y-direction.

As hereafter explained, Hata fails to teach or suggest such a machine.

Preliminarily, for purposes of preserving arguments for potential appeal, Applicant hereby incorporates by reference each of the arguments previously made with respect to Hata in the Amendment and Reply filed on July 1, 2005. In addition, Applicant hereby addresses further shortcomings of Hata.

In reasserting this rejection, the Examiner states, in the "Response to Arguments" section of the Office Action, that "the structure of Hata is capable of performing this function as Hata describes the operation of simultaneous movement of the placement heads to perform

placing or mounting on a multitude of components (see Claim 9 at col. 12 of Hata).” *See* Office Action at p. 4. As hereafter explained, Applicant respectfully disagrees.

Claim 9 of Hata, *i.e.*, the claim cited by the Examiner provides (underline emphasis added):

... wherein the picking-up step of each of the first mounting head sections and the mounting step of each of the corresponding second mounting head sections are carried out at the same time, and the mounting step of each of the first mounting head sections and the picking-up step of each of the corresponding second mounting head sections are carried out at the same time.

As above-underlined, claim 9 of Hata teaches simultaneously performing a mounting step using one of the mounting head sections and a picking-up step using the other of the mounting head sections, *i.e.*, claim 9 of Hata only teaches simultaneously picking-up and mounting. This claim of Hata clearly fails to teach or suggest simultaneously moving the two mounting head sections over the same distance in a particular (*e.g.*, X) direction. As a result and contrary to the Examiner’s assertion, claim 9 of Hata fails to teach or suggest the above-italicized limitation of claim 1.

The Examiner additionally states that the previous “wherein clause (at lines 13-15) merely describes the manner in which the machine or apparatus is intended to be employed and that this does not differentiate over the structure of the machine of Hata[.]” *See* Office Action at p. 4. To the extent that this statement implies that that the previous wherein clause constituted a statement of intended use to which patentable weight may not apply, Applicant respectfully disagrees. However, to obviate this position of the Examiner, Applicant has opted to amend claim 1 in a manner that clearly identifies this wherein clause as a functional limitation, which is clearly entitled to patent weight. *See* M.P.E.P. § 2173.05(g).

In light of at least the foregoing reasons, Hata fails to teach or suggest each of the limitations of claim 1. As a result, Hata can not be used to reject claim 1, or any claim dependent thereon, under 35 U.S.C. § 102(b). Moreover, as claim 2 depends from claim 1, claim 2 is also allowable over Hata, without regard to the other patentable limitations recited therein. Accordingly, a withdrawal of the rejection of claims 1 and 2 under § 102(b) is both warranted and earnestly solicited.

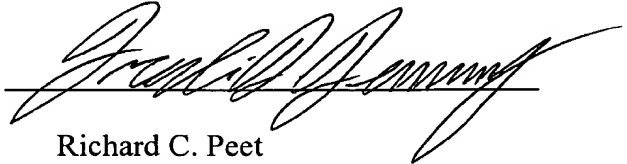
**CONCLUSION**

For the aforementioned reasons, claims 1 and 2 are now in condition for allowance. A Notice of Allowance at an early date is respectfully requested. The Examiner is invited to contact the undersigned if such communication would expedite the prosecution of the application.

Respectfully submitted,

Date March 16, 2006

By



Richard C. Peet  
Registration No. 35,792

Frederic T. Tenney  
Registration No. 47,131

Attorneys for Applicant

Customer Number: 22428  
FOLEY & LARDNER LLP  
3000 K Street, N.W.  
Suite 500  
Washington, D.C. 20007-5143

Telephone: (202) 672-5300  
Facsimile: (202) 672-5399

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED REGARDING THIS APPLICATION UNDER 37 C.F.R. §§ 1.16-1.17, OR CREDIT ANY OVERPAYMENT, TO DEPOSIT ACCOUNT NO. 19-0741. SHOULD NO PROPER PAYMENT BE ENCLOSED HEREWITH, AS BY A CHECK BEING IN THE WRONG AMOUNT, UNSIGNED, POST-DATED, OTHERWISE IMPROPER OR INFORMAL OR EVEN ENTIRELY MISSING, THE COMMISSIONER IS AUTHORIZED TO CHARGE THE UNPAID AMOUNT TO DEPOSIT ACCOUNT NO. 19-0741. IF ANY EXTENSIONS OF TIME ARE NEEDED FOR TIMELY ACCEPTANCE OF PAPERS SUBMITTED HEREWITH, APPLICANT HEREBY PETITIONS FOR SUCH EXTENSION UNDER 37 C.F.R. § 1.136 AND AUTHORIZES PAYMENT OF ANY SUCH EXTENSIONS FEES TO DEPOSIT ACCOUNT NO. 19-0741.